

10/11

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - OCTOBER 20, 2004

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦Resume: _____ Stop: _____ ♦Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A.M. - PRE-TRIAL CONFERENCES

Farthing	JIMMY & EDITH MORRISON	7-04-02345	Widener/SO
	A/P 7-04-00097: Recover money or property		
	Debtors v. Service Link L.P.		

10:00 A.M. - MISCELLANEOUS

Snodgrass	LONNIE & MELANNIS RIDENBAUGH	7-04-02266	Wick/SL
	Motion to Reopen Case/Waive filing fee filed 9/20 d/e # 15 for purpose of adding creditors		
	–Order entered reopening case /waived fees; pleading to add creditors to be filed 30 days from 9/21 or case to be re-closed w/o further notice		
	<i>–Amendment was filed 10/6</i>		

Snodgrass	MICHAEL & KIRSTIE SMITH	7-02-04843	Krippend/JJ
	Motion to Re-Open Case and Waive fee filed by debtors for purpose of adding creditors, filed 9/20; d/e # 16		

Money	WILLIAM SHULER - Ch. 13	7-03-03599	Widener/NS
	A/P No. 7-04-00084: Determine validity, priority or extent of lien		
	Debtor v. The Bank of Marion (Graham), The Town of Marion (),		
	County of Smyth (), Commonwealth of VA Workers		

Compensation Commission (Zimm)

-- *Contd from 9/8 for Notice (filed 9/22; d/e # 8) to creditors of approval of sale & opportunity to object thereto , to be heard this date if any filed.*

Abingdon Calendar - 10/20/04

10:00 A.M. - MISCELLANEOUS

Copeland BEAR RIDGE MINING INC.-chll 7-00-00708 DIP/JM

Hearing on Motions, if any filed, prior to trial and pursuant to pre-trial Order of 8/5/04 on Motion of Zurich American Insurance Co (Smith) for payment of Administrative Expense, d/e # 226 and Debtor Response thereto, d/e # 228 (T: 11/17 @ 2:30)
-see Motion filed below:

1) Motion in Limine (filed 9/30; d/e # 240) on behalf of Zurich American Insurance (C.Smith) re: any internal audit report prepared by debtor be excluded as an exhibit at trial and debtor's witness Larry Davis, as well as any other witness to be examined by debtor at trial, be prohibited from relying upon or testifying as to results of such report

Carmody CHARLES BALDWIN 7-04-02539 Krippend/AF

Motion of U. S. Trustee for extension of time to Object to Discharge or File Motion for Dismissal for Substantial Abuse, filed 9/15; d/e # 12
-Order of 9/29 extended time to 11/16 by agreement

Motion of Trustee (Krippendorf) for extension of time to file objection to Exemptions or complaints re: Discharge/dischargeability filed 9/24;d/e # 16, 17

Via ROBERT & NANCY LEE 7-04-02377 Callahan/GR

Motion #2: Sell Property Free & Clear of Liens [d/e # 27, 28, 29]
William E. Callahan, Jr. V. Russell Co. Va. (c/oDennis Jones,Esq);
New Peoples Bank(Hutton); Kenneth D. Hart, d/t Trustee () &
Gary A. Lawson d/t Trustee()

Motion #1: Relief - filed 7/22; d/e # 11, 12 *contd from 8/18 & 9/22*
New Peoples Bank (Hutton) v. debtors & trustee
Trustee filed Response 7/27; d/e # 13 (Callahan)

Copeland DOUGLAS & DEBRA BOWLING - Ch. 7 7-03-04028 Wick/NS
Motion for Compensation for Trustee in the amount of \$738.20 with \$148.04
expenses filed 9/20 [d/e # 26, 27, 28, 29]

Abingdon Calendar - 10/20/04

10:00 A.M. - MISCELLANEOUS

Gifford MARY NEELY-ch7 7-04-03099 Callahan/NS
Motion #1: Relief - filed 9/24; d/e # 11, 12
Green Tree Servicing LL C(McQuiddy) v. debtor & trustee
Movant certification filed 10/4; d/e # 13

Proctor FREDERICK & CHEMAIN LITTON 7-04-03766 Vogel/SL
Motion #1: Relief - filed 9/29; d/e # 12, 13
Wachovia Bank NA (Mason) v. debtors & trustee
movant certification filed 10/1; d/e # 14

Fellhauer ERIC CLIFTON 7-04-03609 Callahan/JM
Motion #1: Relief - filed 9/29; d/e # 12, 14
Bank One NA (Fleischhauer) v. debtor & trustee
Movant's Certification filed 9/29; d/e #13

Carmody WILLIAM & BARBARA WHITE 7-04-02543 Krippend/JJ
Motion #1: Avoid Lien (Jdgt Bk 44, Page 623, \$175.00), filed 9/17; d/e # 14, 15
Debtors v. Clinch Valley Medical Center c/o Tom Tobin CEO

Motion #2: Avoid Lien (Jdgt Bk 46, Page 53, \$696.00), filed 9/17; d/e# 16, 17
Debtors v. Clinch Valley Medical Center c/o Tom Tobin CEO

Motion #3: Avoid Lien (Jdgt Bk 45, Page 375, \$649.57)

Debtors v. Clinch Valley Medical Center c/o Tom Tobin CEO

Motion #4: Avoid Lien (Jdgt Bk 40, Page 509, \$235.00)

Debtors v. Binita D. Patel, MD

Motion #5: Avoid Lien (Jdgt Bk 42 Page 701, \$381.00)

Debtors v. Richlands Community Medical Center c/o Roy Gomeez,CEO

Abingdon Calendar - 10/20/04

11:00 A.M. - MISCELLANEOUS

Copeland COAL RIVER RESOURCES INC 7-04-00988 (B) DIP/NS
Motion of Fred M. Leonard, Attorney for Tri-State Leasing Corp, (#04-990
Jointly Administered) for 1st interim compensation of \$13,533.75 and
\$141.74 expenses, filed 9/29; d/e # 343
–note: case being heard on BSG calendar on 10/19 also

Copeland HARMAN MINING CORP 7-98-01988 (B) DIP/NS
Motion (12th Interim) of Magee Foster Goldstein & Sayers, counsel for
Official Committee of Unsecured Creditors for compensation of \$3,541.00 and
expense of \$879.14 (Goldstein), filed 9/29; d/e # 897
–note: case being heard on BSG calendar on 10/19 also

Lamie WALTER & REBECCA SPRINKLE-chll 7-04-01592 DIP/NS
Show cause hearing re: Debtor: IF fails to file DS & Plan by 10/8
–DS & Plan filed 10/4

Callahan EWELL JAMES OWENS - 7-04-01931 DIP/AF
Motion to Appoint Examiner filed by Thelma Josephine Wade on 8/30; d/e # 35
(Esposito) *contd from 9/22 hearing for hearing;*
-- Re: exclusivity period : granted reduction to period 30-days from
Date of Ltr of Movant in Response to Counter-Offer of Compromise at 9/22 hrg

Abingdon Calendar - 10/20/04

1:00 P.M. - CH. 13 CONFIRMATIONS

Timoney ROBERT & SHANNON DALTON 7-01-04906 Widener/JM
Mod Plan filed 7/23; d/e # 62& 64; w/#63 Amended Schedules I & J
Trustee Showcause Motion: Dismiss/convert; Filed 6/27; d/e # 57,
--contd from 7/21 ,9/8 & 9/22 to cure arrears to tr.

Largen SHIRLEY STUART 7-04-02502 Widener/S
Mod Plan filed 8/30; d/e # 16, 17

Largen CURTIS MANN-ch13 7-04-02878 Widener/GR
Mod plan filed 9/3; d/e # 15, 16

Fleenor	MICHAEL ANDES	7-04-02857	Widener/SJ
	Plan filed 7/9; d/e # 6, 13 - contd from 10/6		
	Obj: Highlands Union Bank (Hutton) filed 8/27; d/e # 17		
	Trustee Report, Obj & Show Cause: Dismiss/convert, filed 9/23; d/e # 18		

Abingdon Calendar - 10/20/04

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

F Harman	MICHAEL PERDUE	7-04-00316	Widener/LM
	Plan filed 6/25; d/e # 34; certif of service filed 6/29; d/e # 35		
	--Trustee Obj & Showcause <i>withdrawn @ 9/8 hrg:</i>		
	<i>--contd fr 9/8 to file valuation motion re: Main St. Motors</i>		

Valuation: Main Street Motors Inc on 1998 Chev. Malibu, filed 9/21; d/e # 40

McDaniel	ROGER & MIRIAM ANO - Ch. 13	7-04-01894	Widener/NS
	Mod Plan filed 8/18, d/e # 26 (<i>contd fr 9/8 for new clerks office ntc, d/e # 33; 35</i>)		
	Trustee's Objection and Show Cause – <i>contd from 9/8 for notice on 8/18 plan</i>		
	Obj.: Highland Union Bank (Hutton) filed 9/22 [d/e # 37]		

Magee MELITA CORNS - Ch. 13 7-04-02025 Widener/VS
Mod Plan filed 9/3; d/e # 33, with cert of service ; contd from 10/6 d/e#40

Trustee's Report, Objection & Show Cause on Dismissal or Conversion filed
7/21 [d/e # 22]
Trustee Report , Obj & Showcause (supplemental?) Filed 9/17; d/e # 34

Valuation: 2002 Pontiac Firebird: General Motors Acceptance Corp; filed 9/21;
d/e # 35, amended notice to correct locatioin d/e # 37

Valuation: 2002 Honda ATV: American Honda Finance ; filed 9/21;
d/e # 36, amended notice to correct location, d/e # 38

Abingdon Calendar - 10/20/04

1:00 P. M. - MISCELLANEOUS

McDaniel STEVEN & REBECCA SKEEN 7-04-03428 Widener/NS
= *conf date 11/3; but no plan filed; mot filed 9/3; d/e # 12, to extend time to file
schedules; mot re-filed 9/16, d/e # 13, to extend time to file plan ; ord of 9/20
extended time to file plan to 10/2*
Trustee Report, Objection & Show Cause: Dismiss/convert, filed 9/17; d/e # 14

Pro se ROGER WELLS 7-04-03362 Widener/SJ
Trustee Report, Objection & Showcause: Dismiss or convert, filed 9/23; d/e # 19
–*note: confirmation is not scheduled for hearing until 11/3*

–*see also 1:30 p.m. for Relief Motion (Highlands Union Bank)*

Largen DAVID & PENNY CROOKSHANK-chle 7-03-03259 Widener/SJ
Motion of Debtors to Approve sale of Property to Commonwealth of
Virginia (Dept. Of Transportation) in amount of \$49,390 , filed 10/6; d/e # 26

1:30 P. M. - MISCELLANEOUS HEARINGS

Pro se ROGER WELLS 7-04-03362 Widener/SJ
Motion #1: Relief - filed 9/27; d/e # 20, 21
Highlands Union Bank (Hutton) v. debtor & Trustee

Motion #2: co-debtor relief, filed 9/27; d/e # 22, 23
Highlands Union Bank (Hutton) v. debtor, Darlene A. Wells, Roy L.
Wells Jr. And and Ruth B. Wells, Co-Debtors, and trustee

Hendricks NORMA WHITE 7-03-04514 Widener/LM
Motion to extend plan and defer plan payments for months of September, October,
November & December, filed 9/24; d/e # 28

Abingdon Calendar - 10/20/04

1:30 P. M. - MISCELLANEOUS

Timoney RICHARD HAWKS 7-02-02801 Widener/S
Motion #1: Relief - filed 7/26; d/e # 22 – *contd from 8/18 & 9/22*
GMAC (McQuiddy/HUTTON) v. Richard Hawks

Graham EMILY ELHEFNAWY 7-03-05175 Widener/SL
Motion of counsel for compensation of \$1,644.00, filed 9/3; d/e # 40 *contd from*
9/22

Motion of Wells Fargo Bank (Patterson) for Rehearing on Relief Motion #1
(d/e # 44, 45) *d/e#21 tracking printout in motion jacket*

Graham DUANE & JOYCE PRATER-ch13 7-04-00288 Widener/NS
 Motion # 3: Relief–filed 7/2 [d/e # 60] *contd from 7/21 & 8/18 & 9/22*
 Bank of America (White/HUTTON) v. Debtors & Trustee
 Response of Debtors filed 8/10; d/e # 69

Motion of Debtors’ counsel for compensation of \$2,500.00 as administrative
expense in Ch 13 case, filed 9/3; d/e # 88 (contd from 9/22: *timesheet being*
transcribed)

Via J D HAROLD & TAMMIE EWING 7-03-00723 Widener/SO
 Motion #1: Relief - filed 9/24; d/e # 35, 36
 movant certif. Filed 9/27; d/e # 37
 Citifinancial Mortgage co (Zimm) v. debtors & trustee

Lamie DAVID & WANDA JACKSON 7-04-03812 Widener/LM
 Motion #1: Relief - Branch Banking & Trust
 –recused Motion to Judge Krumm by order of 10/5; contact his chambers for hrg

Abingdon Calendar - 10/20/04

2:00 P.M. - MISCELLANEOUS

Largen DAVID & DREAMA KELLY 7-02-02763 Widener/SJ
 Motion of Trustee to Convert or Dismiss, filed 9/23; d/e # 43

Hutchinson JOSEPH & MICHELE BREWSTER 7-03-02533 Widener/AF
 Motion of Trustee to Convert or Dismiss filed 9/23; d/e # 24

Via THOMAS & PAMELA FLEMING 7-00-01747 Widener/JJ
 Motioin of Trustee to Dismiss or Convert Case, filed 9/23; d/e # 27

Antenucci BILLY & BARBARA VANDYKE - Ch. 13 7-99-04094 Widener/NS
 –BSG case
 Trustee’s Motion to Dismiss or Convert [d/e # 59] *contd fr 5/19 ,7/21,8/18 &9/8*

Via GLENN & DEBRA SHREWSBURY 7-02-04225 Widener/SL
 Motion of Trustee to Dismiss or Convert - filed 7/23; d/e # 51 , *contd from 8/18 &*
 9/22

Abingdon Calendar - 10/20/04

2:00 P.M. - MISCELLANEOUS

Farthing ROSARIO LICITRA - Ch. 13 7-03-04451 Widener/JJ
 Trustee’s Motion to Dismiss or Convert Case [d/e # 42] *contd from 9/22*

J Jessee GLENN & AMY BUCHANAN-chl3 7-02-04128 Widener/NS
 Motion of Trustee to Dismiss or Convert case filed 8/23; d/e# 28, *contd from 9/22*

Copeland	TEDDY & JUDITH SWEAT	7-04-03076	Vogel/SL
	Objection of Trustee to Claim of exemptions in two life insurance policies with Shenandoah Life Insurance Co. Filed 9/20; d/e # 12		

Lamie	THOMAS & ELLEN VAN DYKE	7-04-03479	Vogel/GR
	Objection of Trustee to Claim of exemptions filed 9/30; d/e # 16		

Carroll	JANET BLESSING	7-04-00846	Vogel/JJ
	Motion of Trustee to Sell Property free & Clear of liens (2002 Subaru Forester) filed 10/4; d/e # 28, <u>and Motion to Shorten Notice d/e # 29</u>		

2:30 TRIAL
(Allow couple hours)

Jessee	LEROY M. HULL COMPANY, INC. - Ch. 7	7-01-03786	Vogel/GR
	Amended Motion of Claas of America LLC (Webb King) for order authorizing payment of Allowed Secured Claim, filed 10/30/03; d/e # 295;		